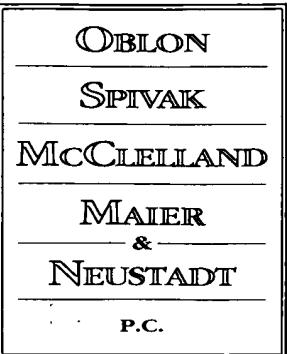




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Docket No.: 240337US2DIV



ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/631,860

Applicants: Shinji ICHIKAWA, et al.

Filing Date: August 1, 2003

For: WRITE/READ HEAD SUPPORTING MECHANISM,
AND WRITE/READ SYSTEM

Group Art Unit: 2652

Examiner: MILLER, BRIAN E.

SIR:

Attached hereto for filing are the following papers:

PROVISIONAL ELECTION

SUBSTITUTE SPECIFICATION (WITH MARKED-UP COPY)

Our check in the amount of **\$0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Ronald A. Rudder

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DOCKET NO. 240337US

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

RE APPLICATION OF:

SHINJI ICHIKAWA ET AL.

:EXAMINER: MILLER, BRIAN E.

SERIAL NO: 10/631,860

:

FILED: AUGUST 1, 2003

:GROUP ART UNIT: 2652

FOR: WRITE/READ HEAD SUPPORTING
MECHANISM, AND WRITE/HEAD SYSTEM

PROVISIONAL ELECTION

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313

SIR:

In response to the Restriction Requirement dated April 22, 2005, Applicants elect with traverse Group 3 corresponding to Figures 7-10 and Claims 6 and 11.

Applicants make this election based on the understanding that Applicants are not prejudiced against filing one or more divisional applications that cover the non-elected claims.

In addition to making this election, Applicants respectfully traverse this Restriction Requirement for the reason that MPEP § 803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be part of an overlapping search area.

Accordingly, Applicants respectfully traverse the Restriction Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the

Examiner, whereas it would clearly be burdensome on Applicants to be required to file, prosecute and maintain separate applications and patents on the identified.

Accordingly, it is respectfully requested that the requirement to elect a single group be withdrawn, and that a full examination on the merits of Claims 1-3, 6-8, and 10-12 be conducted.

Finally, attached herewith is a substitute specification showing the replacement of the word "actuator" with "microactuator" throughout the specification and abstract as requested by the examiner. No new matter has been added.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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